

Assembly Bill No. 915

CHAPTER 805

An act to add and repeal Section 115800.1 of the Health and Safety Code, relating to liability.

[Approved by Governor October 8, 1997. Filed
with Secretary of State October 9, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

AB 915, Baugh. Liability: recreational activities.

Existing law provides that neither a public entity nor a public employee is liable to any person who participates in a hazardous recreational activity, as specified. Existing law lists various activities as coming within the definition of hazardous recreational activities.

This bill would provide that in-line skating by an adult shall be deemed a hazardous recreational activity for purposes of those provisions, under specified conditions.

The bill would require the Judicial Council, to collect information on lawsuits filed by persons injured while in-line skating on public property, and other related information, as specified. The bill also would require the Judicial Council to collect related information and to issue a report containing this information to the Legislature, on or before March 31, 2000.

The bill would provide for the repeal of these provisions on January 1, 2001.

The people of the State of California do enact as follows:

SECTION 1. Section 115800.1 is added to the Health and Safety Code, to read:

115800.1. (a) In-line skating by an adult shall be deemed a hazardous recreational activity within the meaning of Section 831.7 of the Government Code if all of the following conditions are met:

(1) The local public agency has, by legislative action, designated specific public property as a recreational area, boardwalk, or park in which in-line skating is permitted.

(2) The designated area, boardwalk, or park is adequately posted with notices advising the public that in-line skating in the designated area by adults is deemed to be a hazardous recreational activity and that the public entity may not be liable for injuries incurred by persons participating in the hazardous recreational activity in the designated area, boardwalk, or park.

(b) Nothing in Section 831.7 of the Government Code or this section shall be deemed to limit the duty of a public entity to maintain public property or premises in a safe manner.

(c) The Judicial Council shall collect information from the courts regarding lawsuits filed by persons injured while in-line skating on public property, including the results of those lawsuits. The Judicial Council shall also collect information, to the extent it is available, from local public agencies regarding incidents and claims by in-line skaters injured on designated public property for in-line skating. The Judicial Council shall issue a report containing this information to the Legislature on or before March 31, 2000.

(d) This section shall remain in effect only until January 1, 2001, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2001, deletes or extends that date.

